



CGHC010231362024

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

FA(MAT) No. 237 of 2024

1 - Antru S/o Shri Laudhari Ghritlahare, Aged About 50 Years Occupation- Farmer And Hauler Mill Driver, Resident Of Nevaspur, Post- Bazar Charbhantha, Police Station And Tehsil- Sahaspur Lohara, District-Kabirdham (C.G.)

... Appellant(s)

versus

1 - Smt. Manisha W/o Late Chandraprakash Ghritlahare, Aged About 25 Years Occupation- Nil, Resident Of Village- Nevaspur, Present Address Village-Chhirha, Police Station And Tehsil - Kawardha, District Kabirdham (Chhattisgarh)

... Respondent(s)

For Appellant(s) : Shri R.S.Patel, Advocate

For Respondent(s) : None

**DB : Hon'ble Shri Justice Parth Prateem Sahu
Hon'ble Shri Justice Sachin Singh Rajput**

Judgment on Board

Per Sachin Singh Rajput, J.

25/08/2026

Heard on admission.

This appeal under Section 19 (1) of the Family Courts Act, 1984 has been filed by the appellant aggrieved by the judgment and decree dated 28/07/2021 passed by the Family Court, Kabirdham (Kawardha), CG in Civil Suit No.26A/2019. By the impugned judgment and decree, the application under Section 19 of the Hindu Adoptions and Maintenance Act, 1956 filed by the

respondent was allowed and monthly maintenance of Rs.3,000/- was awarded in her favour and against the appellant.

2. Facts – An application under Section 19 of the Hindu Adoptions and Maintenance Act, 1956 (for short ‘the Act of 1956’) was filed by the respondent who happens to be the daughter-in-law of the appellant for seeking maintenance of Rs.15,000/- per month. According to the pleadings, the parties belong to Satnami caste and they are governed by Hindu law. The marriage of the respondent was solemnized with Late Chandraprakash Ghritlahare, son of the appellant in the year 2018 according to the social rites and rituals. Thereafter, they were performing marital obligations. Unfortunately, the husband of the respondent met with an accident on 25/04/2019 and succumbed to the injuries. Till the 10th day program (*Dashagatra*) of the deceased Chandraprakash Ghritlahare, the respondent was living in the matrimonial home. During this period, she was subjected to taunting by the appellant and her wife and asked to leave the matrimonial home. Thereafter, she left the matrimonial home and started living in her maternal home and is somehow managing to survive. Further pleading reflects that the appellant never looked after her and thus, she is unable to maintain herself and her minor daughter Namrata. It has been further pleaded that the appellant has 15 acres of agricultural land and earns Rs.10 lakhs annually. He has a permanent constructed house (*pakka makaan*) and also has hauler mill in the house. Thus, a maintenance of Rs.15,000/- per month was claimed.

3. The appellant herein was proceeded ex-parte before the learned Family Court.

4. The learned Family Court framed following issues for determination -

	Issues	Conclusion
1.	Whether the applicant is entitled to receive maintenance from the non-applicant? If so, how much?	Yes, Rs.3,000/- monthly

5. The respondent examined herself as AW1 and Chitrekhabei Tandon as AW2.

6. Learned Family Court, on assessment of evidence and material on record,

awarded Rs.3,000/- per month maintenance to the respondent. Thus, the impugned judgment and decree was challenged by the appellant before this Court.

7. Learned counsel for the appellant submits that the finding of the learned Family Court is erroneous and has wrongly passed the ex-parte order against the appellant/father-in-law. He submits that after the death of son of the appellant, the respondent herself left the matrimonial home and residing in her maternal home. The allegations leveled against the appellant are completely baseless. He submits that the learned Family Court has passed the order without properly appreciating the facts circumstances of the case and therefore, the order is liable to be set aside.

8. Heard learned counsel for the appellant.

9. The relationship between the appellant and the respondent is not in dispute. From the record, it is gathered that the respondent is residing in her maternal home along with her minor daughter. Section 19 of the Act of 1956 entitles the respondent to receive maintenance from her father-in-law. The evidence of the respondent and her witness clearly goes to show that the respondent is in need of money for welfare of herself and her minor daughter and the learned Family Court has awarded only Rs.3,000/- as maintenance.

10. In the opinion of this Court, the amount so awarded is meager looking to the inflation prevailing today. Thus, this Court does not find any good ground to interfere with the impugned judgment and decree and does not find this appeal worth admission. The appeal is accordingly dismissed at the admission stage.

11. Decree be drawn accordingly.

Sd/-

(Parth Prateem Sahu)
JUDGE

Sd/-

(Sachin Singh Rajput)
JUDGE

Deepti

